

**THIRTY-THIRD LEGISLATIVE DAY
FRIDAY, FEBRUARY 9, 2007**

WOOD, Secretary

House of Representatives

The House convened at 11:15 a.m., the Speaker in the Chair.

Roll call showed 65 members present.

Absent and excused -- Lake, Mortimer, Schaefer, Smith(24), Wood(35). Total -- 5.

Total -- 70.

Prayer was offered by Representative Mathews.

The Pledge of Allegiance was led by Sonia Gomez, Page.

Approval of Journal

February 9, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-second Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

February 8, 2007

Mr. Speaker:

I transmit herewith enrolled **S 1007** and **S 1036** for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1007** and **S 1036** and, when so signed, ordered them returned to the Senate.

February 8, 2007

Mr. Speaker:

I return herewith enrolled **HCR 4**, **H 39**, **H 1**, and **H 2** which has been signed by the President.

WOOD, Secretary

Enrolled **HCR 4** was referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled **H 39**, **H 1**, and **H 2** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

February 8, 2007

Mr. Speaker:

I transmit herewith **SCR 105**, **S 1022**, **S 1061**, and **S 1060** which have passed the Senate.

SCR 105, **S 1022**, **S 1061**, and **S 1060** were filed for first reading.

February 8, 2007

Mr. Speaker:

I return herewith **H 16** which has passed the Senate.

WOOD, Secretary

H 16 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

February 9, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed **HCR 11**, **HCR 12**, **H 124**, **H 125**, **H 126**, **H 127**, **H 128**, **H 129**, **H 130**, **H 131**, **H 132**, **H 133**, **H 134**, **H 135**, **H 136**, **H 137**, **H 138**, **H 139**, **H 140**, **H 141**, and **H 142**.

CLARK, Chairman

H 124, **H 125**, **H 126**, **H 127**, **H 128**, and **H 129** were referred to the Judiciary, Rules, and Administration Committee.

H 131, **H 132**, **H 133**, **H 134**, **H 135**, **H 136**, **H 139**, and **H 140** were referred to the Business Committee.

H 137 was referred to the Environment, Energy, and Technology Committee.

H 138 was referred to the Health and Welfare Committee.

H 141 and **H 142** were referred to the Revenue and Taxation Committee.

H 101, held at the desk, February 5, 2007, was referred to the State Affairs Committee.

HCR 11, **HCR 12**, and **H 130** were filed for second reading.

February 9, 2007

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 2** and **HCR 3** to the Secretary of State at 11:25 a.m., as of this date, February 8, 2007.

CLARK, Chairman

February 8, 2007

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration **H 78**, **H 60**, and **H 58** and recommend that they do pass.

TRAIL, Chairman

H 78, **H 60**, and **H 58** were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

**HOUSE CONCURRENT RESOLUTION NO. 13
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE**

A CONCURRENT RESOLUTION

STATING LEGISLATIVE FINDINGS AND ADOPTING THE IDAHO ENERGY PLAN APPROVED BY THE LEGISLATIVE COUNCIL INTERIM COMMITTEE ON ENERGY, ENVIRONMENT AND TECHNOLOGY ON JANUARY 26, 2007, AS THE STATE ENERGY PLAN.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in 2006, the members of the Second Regular Session of the Fifty-eighth Idaho Legislature adopted House Concurrent Resolution No. 62, which requested that the Legislative Council Interim Committee on Energy, Environment and Technology develop an integrated state energy plan that, among other things, provides for the state's power generation needs and protects Idaho's public health, safety and natural environment and conserves Idaho's natural resources; and

WHEREAS, the Legislative Council Interim Committee on Energy, Environment and Technology met on twelve separate days and appointed four citizen and legislator subcommittees that held seven total meetings during the legislative interim in 2006; and

WHEREAS, the Legislative Council Interim Committee on Energy, Environment and Technology adopted the Idaho Energy Plan on January 26, 2007; and

WHEREAS, it is the desire of the Legislature to ratify this plan, while at the same time making it a living, breathing plan with the intent that it be revisited at a minimum of once every five years.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we formally adopt the Idaho Energy Plan as adopted by the Legislative Council Interim Committee on Energy, Environment and Technology on January 26, 2007, as the State Energy Plan and that the Legislature update this plan at a minimum of once every five years.

BE IT FURTHER RESOLVED that the Legislative Council Interim Committee on Energy, Environment and Technology shall cause to have printed 500 copies of the plan from appropriated funds. The Division of Energy in the Department of Water Resources is requested to make an electronic copy of the plan available on its website.

**HOUSE CONCURRENT RESOLUTION NO. 14
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND SUPPORTING THE ENACTMENT OF POLICIES AND

PROGRAMS TO REDUCE IDAHO'S DEPENDENCE ON FOSSIL FUELS, ACCELERATE THE DEVELOPMENT OF CLEAN, ECONOMICAL ENERGY RESOURCES AND FUEL-EFFICIENT TECHNOLOGIES, AND TO SUPPORT THE EFFORTS OF OUR LOCAL COMMUNITIES TO EXERCISE PROPER STEWARDSHIP AND TO TAKE ACTION AIMED AT REDUCING GREENHOUSE GASES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, according to the Idaho Energy Policy Survey conducted by Boise State University, released in January 2007, seventy percent of Idahoans believe that humans contribute to climate change; and

WHEREAS, recent well-documented impacts of climate change, including rising sea levels, declining ancient Arctic sea ice thickness, and rapidly rising global average temperatures and the impacts of global climate change, as well as climate disruption of a magnitude now predicted by many in the scientific community, have the potential of causing long-term drought, famine, mass migration, and abrupt climatic shifts, posing a serious threat to the economy, public health, environment and worldwide security; and

WHEREAS, Idahoans hold an enduring property right to natural resources such as air, water, soils, snowpack, fisheries and wildlife and the state, as sovereign trustee of those resources, has a duty to protect them for the benefit of present and future generations; and

WHEREAS, reducing greenhouse gas emissions to the levels necessary to avoid serious climatic disruption requires the introduction of new energy technologies and other climate-friendly technologies, the use of which results in low or no emissions of greenhouse gases or in the capture and storage of greenhouse gases while at the same time presenting economic opportunities for workers and businesses in the United States; and

WHEREAS, climate-friendly technologies can improve air quality by reducing harmful pollutants from stationary and mobile sources, and can enhance energy security by reducing reliance on imported oil, diversifying energy sources, and reducing the vulnerability of energy delivery infrastructure; and

WHEREAS, numerous cities, including three Idaho cities, and numerous states have adopted resolutions to take actions to reduce greenhouse gases and communities throughout the nation are reducing greenhouse gases through programs that provide economic and quality of life benefits such as reduced energy bills, agricultural land preservation, air quality improvements, reduced traffic congestion, improved transportation choices, and economic development and job creation through energy conservation and new energy technologies.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the enactment of policies and programs to reduce Idaho's dependence on fossil fuels and accelerate the development of clean, economical energy resources and fuel-efficient technologies such as conservation, methane recovery for energy generation, waste to energy, wind and solar energy, geothermal energy, fuel cells, efficient motor vehicles, hydro energy, second generation nuclear once technology is developed to neutralize

radioactive waste, woody biomass and biofuels.

BE IT FURTHER RESOLVED that we support efforts of our local communities to exercise proper stewardship and to take action aimed at reducing greenhouse gases through the adoption and enforcement of land use policies that reduce sprawl, preserve open space, promote transportation options, increase the use of clean alternative energy, make energy efficiency a priority, practice and promote sustainable building practices, increase recycling rates, maintain healthy forests and educate the public about reducing greenhouse gases.

**HOUSE CONCURRENT RESOLUTION NO. 15
BY HEALTH AND WELFARE COMMITTEE**

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE DEPARTMENT OF HEALTH AND WELFARE TO COLLABORATE WITH STAKEHOLDERS TO CONVENE A TASK FORCE FOR THE PURPOSE OF DEVELOPING A FAMILY-DIRECTED SERVICE DELIVERY SYSTEM.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, many Idaho families rely on Medicaid for long-term services to meet the needs of their children with developmental disabilities; and

WHEREAS, growth in the Medicaid budget requires all opportunities for savings to be explored, including strategies for families to make the most efficient and effective use of supports and services for their children with developmental disabilities; and

WHEREAS, many families who have children with developmental disabilities want to have authority over service decisions that enable them to provide support for their children at home; and

WHEREAS, families who have children with developmental disabilities should control a limited amount of dollars that can be used flexibly to acquire necessary supports; and

WHEREAS, the state of Idaho has made progress in designing a service delivery system for adults with developmental disabilities that permits consumer choice and control; and

WHEREAS, Idaho can utilize the lessons learned in the development of a self-directed system for adults to build a similar system for families with minor age children; and

WHEREAS, all families who have children with developmental disabilities are valued partners in policymaking pertaining to their children's services and supports.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature encourages the Department of Health and Welfare to collaborate with the Idaho Council on Developmental Disabilities and other stakeholders to convene a task force for the purpose of developing a family-directed service delivery system.

BE IT FURTHER RESOLVED, that the Legislature supports including the participation of families who have children with developmental disabilities, appropriate public agencies, service providers and advocates in the development of this service delivery system.

BE IT FURTHER RESOLVED, that the Legislature encourages the Department of Health and Welfare to submit a request to the federal Centers for Medicare and Medicaid Services for approval to allow families to direct state plan services.

BE IT FURTHER RESOLVED, that the Legislature recommends that this service delivery system would be available to families of eligible children with developmental disabilities, would cost no more on average than services currently available through the Medicaid state plan for children with developmental disabilities, would include an individual budget driven by a child-centered, family-directed plan, and would allow families to negotiate for services and supports from traditional and nontraditional providers with the assistance of a support broker and a fiscal agent.

BE IT FURTHER RESOLVED, that the Legislature requests that the Department of Health and Welfare report its progress on this effort, including a cost analysis, to the Legislature by March 1, 2008.

**HOUSE JOINT MEMORIAL NO. 3
BY TRANSPORTATION AND DEFENSE COMMITTEE
A JOINT MEMORIAL**

TO THE PRESIDENT OF THE UNITED STATES, THE UNITED STATES ATTORNEY GENERAL, THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE GOVERNOR OF IDAHO AND TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the First Regular Session of the Fifty-ninth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the state of Idaho recognizes the Constitution of the United States as our charter of liberty and the Bill of Rights as affirming the fundamental and inalienable rights of Americans, including freedom of privacy and freedom from unreasonable searches; and

WHEREAS, Idaho has a diverse population whose contributions are vital to the state's economy, culture and civic character; and

WHEREAS, Idaho is proud of its tradition of protecting the civil rights and liberties of all its residents, affirming the fundamental rights of all people and providing more expansive protections than are granted by the Constitution of the United States; and

WHEREAS, the federal REAL ID Act of 2005, Public Law 109-13, creates a national identification card by mandating federal standards for state driver's licenses and identification cards and requires states to share their motor vehicle databases; and

WHEREAS, the REAL ID Act mandates the documents that states must require to issue driver's licenses and requires states to place uniform information on every driver's license in a standard, machine-readable format; and

WHEREAS, the REAL ID Act prohibits federal agencies and

federally-regulated commercial aircraft from accepting a driver's license or identification card issued by a state that has not fully complied with the act; and

WHEREAS, the REAL ID Act places a costly, unfunded mandate on states, with initial estimates for Idaho of more than thirty-nine million dollars with ongoing annual expenses of an estimated nine million three hundred thousand dollars and a national estimate of more than eleven billion dollars over the next five years; and

WHEREAS, the REAL ID Act requires the creation of a massive public sector database containing information on every American that is accessible to all motor vehicle employees and law enforcement officers nationwide and that can be used to gather and manage information on citizens. Such activities are not the business or responsibility of government; and

WHEREAS, the REAL ID Act enables the creation of additional massive private sector databases, combining both transactional information and driver's license information gained from scanning the machine-readable information contained on every driver's license; and

WHEREAS, these public and private databases are likely to contain numerous errors and false information, creating significant hardship for Americans attempting to verify their identities in order to travel on commercial aircraft, open a bank account or perform any of the numerous functions required to live in the United States today; and

WHEREAS, the federal trade commission estimates that ten million Americans are victims of identity theft annually, and because identity thieves are increasingly targeting motor vehicle departments, the REAL ID Act will enable the crime of identity theft by making the personal information of all Americans, including date of birth and signature, accessible from tens of thousands of locations; and

WHEREAS, the REAL ID Act requires a driver's license to contain a person's actual home address and makes no exception for individuals in potential danger, such as undercover law enforcement personnel or victims of stalking or criminal harassment; and

WHEREAS, the REAL ID Act contains onerous record verification and retention provisions that place unreasonable burdens on the motor vehicle division and on third parties required to verify records; and

WHEREAS, the REAL ID Act will place enormous burdens on consumers seeking new driver's licenses, such as longer lines, increased document requests, higher costs and a waiting period; and

WHEREAS, the REAL ID Act will place state motor vehicle staff on the front lines of immigration enforcement by forcing state employees to determine federal citizenship and immigration status, excessively burdening both foreign-born applicants and motor vehicle staff; and

WHEREAS, the REAL ID Act passed without sufficient deliberation by Congress and did not receive a hearing by any congressional committee or a vote solely on its own merits, despite opposition from more than six hundred organizations; and

WHEREAS, the REAL ID Act eliminated a process of negotiated rulemaking initiated under the Intelligence Reform and Terrorism Prevention Act of 2004, which had convened federal, state and local policymakers, privacy advocates and industry

experts to solve the problem of the misuse of identity documents; and

WHEREAS, the REAL ID Act provides little security benefit and leaves identification systems open to insider fraud, counterfeit documentation and database failures.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Fifty-ninth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the government of the United States in its campaign to secure our country, while affirming the commitment of the United States that this campaign not be waged at the expense of the essential civil rights and liberties of the citizens of this country.

BE IT FURTHER RESOLVED that it is the policy of the state of Idaho to oppose any portion of the REAL ID Act that violates the rights and liberties guaranteed under the constitutions of the State of Idaho and the United States, including the Bill of Rights.

BE IT FURTHER RESOLVED that the Idaho Legislature shall enact no legislation nor authorize an appropriation to implement the provisions of the REAL ID Act in Idaho, unless such appropriation is used exclusively for the purpose of undertaking a comprehensive analysis of the costs of implementing the REAL ID Act or to mount a constitutional challenge to the act by the state Attorney General.

BE IT FURTHER RESOLVED that the Idaho Legislature urges the Idaho congressional delegation to support measures to repeal the REAL ID Act.

BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the United States George W. Bush, the United States Attorney General Alberto Gonzales, the President of the Senate and the Speaker of the House of Representatives of Congress, the Governor of Idaho C. L. Otter and the congressional delegation representing the State of Idaho in the Congress of the United States.

HCR 13, HCR 14, HCR 15, and HJM 3 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 105, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 143 BY TRANSPORTATION AND DEFENSE COMMITTEE AN ACT

RELATING TO FEDERALLY-FUNDED HIGHWAY PROJECT FINANCING; AMENDING SECTION 40-315, IDAHO CODE, TO DELETE THE LIST OF PROJECTS FROM WHICH THE BOARD SHALL SELECT AND DESIGNATE TRANSPORTATION PROJECTS TO BE FUNDED WITH BOND PROCEEDS, TO SPECIFY CONDITIONS FOR SELECTION OF PROJECTS, TO

INCREASE THE LIMIT ON TOTAL CUMULATIVE DEBT SERVICE AND OTHER BOND-RELATED EXPENSES FOR EACH FISCAL YEAR BUDGET AFTER 2007 AND TO PROVIDE AN EXCEPTION, TO PROVIDE A LIMIT ON TOTAL GARVEE BONDED INDEBTEDNESS AND TO PROVIDE AN EXCEPTION, TO SPECIFY DUTIES OF THE IDAHO TRANSPORTATION BOARD REGARDING A MULTI-YEAR GARVEE PROJECT BONDING PLAN, TO REQUIRE THE IDAHO TRANSPORTATION DEPARTMENT TO ANNUALLY UPDATE AND SUBMIT THE BONDING PLAN TO THE LEGISLATURE, TO CHANGE THE DATE BY WHICH THE BOARD SHALL SUBMIT A REPORT TO THE LEGISLATURE CONCERNING CURRENT PROJECTS AND TO REQUIRE THE BOARD TO PROVIDE SPECIFIED INFORMATION ON BOND-FINANCED TRANSPORTATION PROJECTS; AMENDING SECTION 67-6201, IDAHO CODE, TO DELETE A REQUIREMENT FOR THE PROMPT ISSUANCE OF BONDS AND NOTES USED TO FINANCE TRANSPORTATION INFRASTRUCTURE PROJECTS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING EFFECT ON PROJECTS CURRENTLY BONDED; AND PROVIDING SEVERABILITY.

HOUSE BILL NO. 144

BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO APPRAISEMENT, LEASE, AND SALE OF PUBLIC LANDS; AMENDING SECTION 58-335A, IDAHO CODE, TO PROVIDE THAT ANY PERSON OWNING REAL PROPERTY CONTIGUOUS TO SURPLUS REAL PROPERTY FOR SALE BY THE IDAHO TRANSPORTATION DEPARTMENT SHALL BE NOTIFIED AND HAVE FIRST OPTION TO PURCHASE THE SURPLUS REAL PROPERTY.

HOUSE BILL NO. 145

BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO TRAFFIC HAZARDS; AMENDING SECTION 49-221, IDAHO CODE, TO PROVIDE CONSISTENT TERMINOLOGY, TO REQUIRE AN OWNER OF REAL PROPERTY UPON NOTICE TO REMOVE A TRAFFIC HAZARD AT THE OWNER'S EXPENSE, TO PERMIT THE DEPARTMENT OF TRANSPORTATION OR ANY LOCAL AUTHORITY UPON NOTICE TO ENTER UPON REAL PROPERTY AND REMOVE A TRAFFIC HAZARD THAT IS AN IMMINENT OR IMMEDIATE THREAT TO THE SAFETY OF THE TRAVELING PUBLIC, TO PROVIDE THAT SUCH ENTRY AND REMOVAL SHALL NOT CONSTITUTE A CAUSE OF ACTION IN FAVOR OF THE OWNER, LESSEE OR OCCUPIER OF THE REAL PROPERTY, WITH EXCEPTIONS, TO PERMIT RECOVERY OF CIVIL PENALTY OR REIMBURSEMENT OBLIGATION BY CIVIL ACTION, TO PROVIDE A CIVIL PENALTY, TO PROVIDE FOR RECOVERY OF ACTUAL COST OF REMOVAL, LEGAL COSTS AND FEES AND TO PERMIT A SPECIAL ASSESSMENT AGAINST REAL PROPERTY PURSUANT TO PROVISIONS OF IDAHO CODE.

HOUSE BILL NO. 146

BY TRANSPORTATION AND DEFENSE COMMITTEE
AN ACT

RELATING TO THE AIRPORT ZONING ACT; AMENDING SECTION 21-505, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, INTENT AND PURPOSE RELATING TO AIRPORT ZONING REQUIREMENTS, TO REQUIRE COUNTIES AND MUNICIPALITIES WITH AN AIRPORT TO DISCOURAGE THE SITING OF INCOMPATIBLE USES ADJACENT TO THE AIRPORT OR IN THE FLIGHT PATH OF AN AIRPORT THROUGH THEIR COMPREHENSIVE PLANS AND DEVELOPMENT REGULATIONS AND TO MAKE TECHNICAL CHANGES.

HOUSE BILL NO. 147

BY LOCAL GOVERNMENT COMMITTEE
AN ACT

RELATING TO DISTRICT BOARDS OF HEALTH; AMENDING SECTION 39-411, IDAHO CODE, TO PROVIDE MINIMUM AND MAXIMUM NUMBERS OF MEMBERS FOR BOARDS OF TRUSTEES FOR DISTRICT BOARDS OF HEALTH.

HOUSE BILL NO. 148

BY AGRICULTURAL AFFAIRS COMMITTEE
AN ACT

RELATING TO RECORDS EXEMPT FROM DISCLOSURE; AMENDING SECTION 9-340D, IDAHO CODE, TO PROVIDE THAT CERTAIN RESULTS OF LABORATORY TESTS CONDUCTED BY THE IDAHO STATE DEPARTMENT OF AGRICULTURE ARE EXEMPT FROM DISCLOSURE.

HOUSE BILL NO. 149

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE
AN ACT

RELATING TO RENEWABLE FUEL CONTRACTS; AMENDING CHAPTER 1, TITLE 29, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 29-116, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR AGREEMENTS OR CONTRACTS BETWEEN A MOTOR FUEL DISTRIBUTOR OR RETAILER, TO PROVIDE THAT CERTAIN PROVISIONS OF A FRANCHISE AGREEMENT OR CONTRACT SHALL BE NULL AND VOID, TO PROVIDE EXCEPTIONS, TO PROVIDE PENALTIES AND TO PROVIDE DUTIES OF PROSECUTING ATTORNEYS; DECLARING AN EMERGENCY AND PROVIDING APPLICATION.

HOUSE BILL NO. 150

BY ENVIRONMENT, ENERGY, AND TECHNOLOGY COMMITTEE
AN ACT

RELATING TO ENERGY GRANTS; AMENDING CHAPTER 18, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1806, IDAHO CODE,

TO PROVIDE A SHORT TITLE, TO DEFINE A TERM, TO CREATE THE IDAHO ECONOMIC DEVELOPMENT BIOFUEL INFRASTRUCTURE MATCHING GRANT FUND AND TO PROVIDE ADMINISTRATIVE PROCEDURES FOR APPROVING GRANT APPLICATIONS; PROVIDING AN EFFECTIVE DATE AND PROVIDING A SUNSET DATE.

HOUSE BILL NO. 151
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE

AN ACT

RELATING TO BIOFUELS; AMENDING CHAPTER 2, TITLE 71, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 71-241A, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO CREATE THE IDAHO BIOFUELS SUPPLY ENHANCEMENT PROGRAM IN THE DEPARTMENT OF AGRICULTURE, TO PROVIDE INCENTIVES, TO PROVIDE FOR ADMINISTRATION, TO PROVIDE LIMITATIONS AND TO PROVIDE A SUNSET PROVISION.

HOUSE BILL NO. 152
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE

AN ACT

RELATING TO SITING OF CERTAIN ELECTRICAL TRANSMISSION FACILITIES; AMENDING TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 17, TITLE 61, IDAHO CODE, TO PROVIDE LEGISLATIVE PURPOSE AND FINDINGS, TO DEFINE TERMS, TO PROVIDE AUTHORITY OF THE PUBLIC UTILITIES COMMISSION REGARDING SITING OF ELECTRIC TRANSMISSION FACILITIES IN A NATIONAL INTEREST ELECTRIC TRANSMISSION CORRIDOR WITHIN IDAHO, TO PROVIDE FOR NOTICE OF INTENT TO FILE, CONTENT OF THE FILING AND PREFILING PROCEDURES, TO PROVIDE FOR APPLICATION FOR A ROUTE CERTIFICATE, TO PROVIDE CONSTRUCTION STANDARDS, TO PROVIDE FOR PUBLIC WORKSHOPS, TO PROVIDE THE EFFECT OF ISSUANCE OF ROUTE CERTIFICATION, TO PROVIDE PUBLIC UTILITIES COMMISSION PROCEDURES, AN ADMINISTRATIVE REMEDY, RECONSIDERATION AND JUDICIAL REVIEW; AMENDING SECTION 67-6508, IDAHO CODE, TO PROVIDE PLANNING DUTIES REGARDING NATIONAL ELECTRIC TRANSMISSION CORRIDORS AND TO MAKE TECHNICAL CORRECTIONS; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

HOUSE BILL NO. 153
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE

AN ACT

RELATING TO WATER AND SEWER DISTRICTS; AMENDING CHAPTER 32, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-3240, IDAHO CODE, TO PROVIDE FOR THE RECEIPT OF SERVICES BY OWNERS OF REAL PROPERTY WITHIN A DISTRICT AND TO PROVIDE FOR THE TREATMENT OF APPLICATIONS FOR NEW OR ADDITIONAL SERVICES MADE BY

OWNERS OF REAL PROPERTY ANNEXED INTO A DISTRICT.

HOUSE BILL NO. 154
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE

AN ACT

RELATING TO ENERGY FACILITIES; AMENDING CHAPTER 23, TITLE 67, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 67-2351, 67-2352, 67-2353, 67-2354 AND 67-2355, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE A CITY OR COUNTY REQUEST FOR ADVICE REGARDING AN ENERGY FACILITY, TO PROVIDE STATE DEPARTMENT RESPONSIBILITIES, TO PROVIDE FOR CONSIDERATION OF AN APPLICATION, TO PROVIDE PROHIBITED FACTORS FOR CONSIDERATION AND TO PROVIDE FOR PUBLIC HEARINGS AND COMMENTS.

HOUSE BILL NO. 155
BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO NURSING; AMENDING CHAPTER 47, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4727, IDAHO CODE, TO ESTABLISH THE NURSING WORKFORCE ADVISORY COUNCIL, TO PROVIDE FOR MEMBERSHIP, OFFICERS AND COMPENSATION, TO ESTABLISH AND SET FORTH THE DUTIES OF THE IDAHO NURSING WORKFORCE CENTER AND TO PROVIDE FOR FUNDING SUBJECT TO STATE APPROPRIATION AND MONEYS FROM OTHER SOURCES.

HOUSE BILL NO. 156
BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO OILSEED; AMENDING THE HEADING FOR CHAPTER 47, TITLE 22, IDAHO CODE; AMENDING SECTION 22-4701, IDAHO CODE, TO REVISE SHORT TITLE PROVISIONS; AMENDING SECTION 22-4702, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DECLARATION OF LEGISLATIVE POLICY AND PURPOSE; AMENDING SECTION 22-4703, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 22-4704, IDAHO CODE, TO REVISE COMMISSION PROVISIONS; AMENDING SECTION 22-4705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE QUALIFICATION OF COMMISSION MEMBERS; AMENDING SECTION 22-4708, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-4710, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE DUTIES AND POWERS OF THE COMMISSION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 22-4711, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-4714, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE OFFICE OF THE ADMINISTRATOR; AMENDING SECTION 22-4716, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-4718, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING

SECTION 22-4719, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 22-4722, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 9-340D, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

HOUSE BILL NO. 157
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO THE BOARD OF NURSING; AMENDING SECTION 54-1404, IDAHO CODE, TO PROVIDE FOR BOARD OF NURSING REGULATION OF CERTIFIED MEDICATION ASSISTANTS AND TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING CHAPTER 14, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1406A, IDAHO CODE, TO PROVIDE FOR THE CERTIFICATION AND REGULATION OF CERTIFIED MEDICATION ASSISTANTS.

HOUSE BILL NO. 158
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PATIENT INFORMATION AND PRESCRIPTION CONFIDENTIALITY; AMENDING SECTION 54-1727, IDAHO CODE, TO PROVIDE THAT DISCLOSURE OF PATIENT SPECIFIC INFORMATION IS NOT PROHIBITED IF DISCLOSED TO LAW ENFORCEMENT AUTHORITIES PURSUANT TO A SEARCH WARRANT, SUBPOENA, OR OTHER COURT ORDER.

HOUSE BILL NO. 159
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO HEALTH CARE; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 32, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO CREATE THE COMMUNITY HEALTH CENTER GRANT FUND, TO DEFINE TERMS, TO PROVIDE FOR SCOPE OF GRANT SUPPORT, TO SET FORTH APPLICATION REQUIREMENTS, TO PROVIDE A GRANT AWARD SCHEDULE, TO PROVIDE GRANT AWARD CRITERIA, TO PROHIBIT FRAUDULENT INFORMATION ON GRANT APPLICATIONS AND TO PROVIDE FOR ADMINISTRATIVE APPEALS; AMENDING SECTION 39-5903, IDAHO CODE, TO REVISE A DEFINITION; AND AMENDING SECTION 39-5904, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE MEMBERSHIP OF THE HEALTH CARE ACCESS GRANT REVIEW BOARD.

HOUSE BILL NO. 160
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO PROFESSIONAL STUDIES PROGRAMS; AMENDING SECTION 33-3720, IDAHO CODE, TO AUTHORIZE AGREEMENTS AND FUNDING FOR IDAHO STUDENTS IN DOCTORAL NURSING PROGRAMS.

HOUSE BILL NO. 161

BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO ABORTION AND CONTRACEPTIVES; AMENDING CHAPTER 6, TITLE 18, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 18-615, IDAHO CODE, TO PROVIDE THAT IT IS A CRIMINAL ACT TO COERCE OR ATTEMPT TO COERCE A WOMAN TO OBTAIN AN ABORTION, TO PROVIDE A DUTY TO ADVISE THE WOMAN OF HER RIGHTS AND PROTECTIONS UNDER THE PROVISIONS OF THIS SECTION AND TO PROVIDE PENALTIES; AND AMENDING SECTION 18-615, IDAHO CODE, TO REDESIGNATE THE SECTION.

HOUSE BILL NO. 162
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO REPORTS OF CHILD ABUSE; AMENDING CHAPTER 16, TITLE 16, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 16-1605A, IDAHO CODE, TO PROVIDE MINIMUM REPORTING REQUIREMENTS FOR ALLEGATIONS OF CHILD ABUSE, ABANDONMENT OR NEGLECT, TO PROVIDE MINIMUM REQUIREMENTS IN THE CASE OF PHYSICAL ABUSE AND TO PROVIDE EXEMPTIONS FROM DISCLOSURE; AMENDING SECTION 9-340B, IDAHO CODE, TO EXEMPT FROM DISCLOSURE THE NAME OF ANY PERSON MAKING A REPORT OR ALLEGATION OF CHILD ABUSE, ABANDONMENT OR NEGLECT UNLESS THE PERSON MAKES A REPORT OR ALLEGATION KNOWING THE SAME TO BE FALSE OR REPORTS OR ALLEGES THE SAME IN BAD FAITH OR WITH MALICE.

HOUSE BILL NO. 163
BY HEALTH AND WELFARE COMMITTEE
AN ACT

RELATING TO DAYCARE PROGRAMS; AMENDING SECTION 39-1101, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1102, IDAHO CODE, TO REVISE DEFINITIONS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1103, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1104, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REQUIRE AN OWNER OR OPERATOR OF A DAYCARE FACILITY TO SUBMIT AN APPLICATION AND TO PROVIDE A MINIMUM APPLICANT AGE; AMENDING SECTION 39-1105, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REQUIRE CRIMINAL BACKGROUND CHECKS FOR SPECIFIED INDIVIDUALS ASSOCIATED WITH DAYCARE FACILITIES, TO REQUIRE SPECIFIED WRITTEN AND PHOTOGRAPHIC DISCLOSURES AND TO PROVIDE REFERENCE TO OTHER PROVISIONS OF IDAHO CODE; AMENDING SECTION 39-1106, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1107, IDAHO CODE, TO REVISE LICENSE FEES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1108, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY;

AMENDING SECTION 39-1109, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REQUIRE DAYCARE FACILITIES TO COMPLY WITH CERTAIN FIRE SAFETY STANDARDS, TO PROVIDE A REQUIREMENT FOR A TELEPHONE TO BE LOCATED ON THE PREMISES, TO REMOVE A SEPARATE STANDARDS REQUIREMENT FOR GROUP DAYCARE FACILITIES AND TO PROVIDE FOR CHILD-STAFF RATIOS; AMENDING SECTION 39-1110, IDAHO CODE, TO REQUIRE DAYCARE FACILITIES TO COMPLY WITH CERTAIN HEALTH STANDARDS, TO REVISE HEALTH STANDARDS AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1113, IDAHO CODE, TO PROVIDE ADDITIONAL CRIMES PRECLUDING ELIGIBILITY FOR A LICENSE, TO PROVIDE GROUNDS WHEREBY THE DEPARTMENT OF HEALTH AND WELFARE MAY DENY, SUSPEND OR REVOKE A LICENSE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1114, IDAHO CODE, TO REMOVE REQUIREMENTS FOR AVAILABILITY FOR INSPECTION OF FIRE INSPECTION CERTIFICATE AND CRIMINAL HISTORY CHECK, TO PERMIT FIRE INSPECTION OF FAMILY DAYCARE HOMES BY THE DEPARTMENT, TO REMOVE AN ELECTION FOR COMPLIANCE WITH CHAPTER PROVISIONS FOR A FAMILY DAYCARE FACILITY OR A GROUP DAYCARE HOME AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1115, IDAHO CODE, TO PROVIDE CRIMINAL SANCTIONS FOR OWNING OR OPERATING A FAMILY DAYCARE HOME OR GROUP DAYCARE FACILITY WITHOUT OBTAINING OR POSTING A LICENSE, TO REMOVE CRIMINAL SANCTION FOR OPERATING A GROUP DAYCARE FACILITY WITHOUT OBTAINING A LICENSE AFTER RECEIVING A CITATION, TO PROVIDE FOR A GRACE PERIOD FOR OPERATING A FAMILY DAYCARE HOME, GROUP DAYCARE FACILITY OR DAYCARE CENTER WITHOUT A LICENSE AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1116, IDAHO CODE, TO PROVIDE FOR THE DUTY OF THE COUNTY PROSECUTING ATTORNEY TO PROSECUTE VIOLATIONS WITH REGARD TO FAMILY DAYCARE HOMES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1117, IDAHO CODE, TO PROVIDE NO LIABILITY FOR THE STATE OR POLITICAL SUBDIVISION IN ISSUING LICENSES TO DAYCARE FACILITIES AND TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AND AMENDING SECTION 39-1119, IDAHO CODE, TO REQUIRE TRAINING REQUIREMENTS FOR EMPLOYEES OF DAYCARE FACILITIES, TO REVISE TRAINING HOUR REQUIREMENTS, TO REQUIRE ADDITIONAL SPECIFIED TRAINING AND TO PROVIDE CORRECT TERMINOLOGY.

HOUSE BILL NO. 164

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO OUT-OF-STATE MAIL SERVICE PHARMACIES; AMENDING SECTION 54-1747, IDAHO

CODE, TO REDUCE THE NUMBER OF DAYS PER WEEK AN OUT-OF-STATE MAIL SERVICE PHARMACY MUST PROVIDE TOLL-FREE TELEPHONE SERVICE FOR PURPOSES OF PATIENT COMMUNICATION.

HOUSE BILL NO. 165

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO BIRTH DEFECTS FROM ALCOHOL; AMENDING TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 15, TITLE 23, IDAHO CODE, TO PROVIDE FOR CERTAIN WARNING NOTICES RELATING TO BIRTH DEFECTS CAUSED BY CONSUMPTION OF ALCOHOL, SPIRITS, WINE OR BEER, TO PROVIDE FOR THE DESIGNING AND PRINTING OF THE WARNING NOTICES BY THE DEPARTMENT OF HEALTH AND WELFARE, DIVISION OF BEHAVIORAL HEALTH, AND TO PROVIDE FOR THE DISTRIBUTION OF THE NOTICES BY THE ALCOHOL BEVERAGE CONTROL DIVISION OF THE IDAHO STATE POLICE.

HOUSE BILL NO. 166

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO MEDICAID; AMENDING SECTION 15-8-103, IDAHO CODE, TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-209H, IDAHO CODE, TO DEFINE A TERM, TO PROVIDE FOR A MEDICAID FRAUD PROGRAM IN THE DEPARTMENT OF HEALTH AND WELFARE AND THE SCOPE OF SUCH PROGRAM, TO REMOVE A TIME REQUIREMENT, TO REMOVE A CONDITION FOR ACTION, TO PROVIDE FOR ACTION UPON REFERRAL, TO PROVIDE REFERRAL AND COMPLIANCE REQUIREMENTS, TO PROVIDE FOR A MINIMUM FOR COST RECOVERY AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF NEW SECTIONS 56-209O AND 56-226, IDAHO CODE, TO PROVIDE FOR RECORD RETENTION REQUIREMENTS, TO PROVIDE FOR CRIMINAL PENALTIES, TO ESTABLISH IN THE OFFICE OF THE ATTORNEY GENERAL THE MEDICAID FRAUD CONTROL UNIT, TO PROVIDE THE DUTIES, AUTHORITY AND RESPONSIBILITIES OF THE UNIT, TO PROVIDE EXCLUSIVE CONTROL OF THE UNIT AND TO DEFINE TERMS; AMENDING SECTION 56-227, IDAHO CODE, TO REMOVE A REQUIREMENT FOR THE DEPARTMENT OF HEALTH AND WELFARE TO ESTABLISH AND OPERATE A FRAUD CONTROL PROGRAM; AMENDING SECTION 56-227B, IDAHO CODE, TO PROVIDE FOR THE RIGHT OF THE ATTORNEY GENERAL TO CAUSE CERTAIN LEGAL ACTION TO BE UNDERTAKEN, TO PROVIDE FOR COSTS AND REASONABLE ATTORNEY'S FEES TO BE AWARDED TO THE PREVAILING PARTY, TO PROVIDE FOR THE DISPOSITION OF COSTS AND ATTORNEY'S FEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-227C, IDAHO CODE, TO REQUIRE PERSONS ASKING TO BE EXCUSED FROM ATTENDING, PRODUCING OR TESTIFYING ON THE GROUNDS OF

SELF-INCRIMINATION TO COMPLY WITH THE REQUEST, TO PROVIDE FOR THE USE OF INFORMATION PROVIDED BY PERSONS PRIVILEGED TO WITHHOLD INFORMATION, TO PROVIDE AUTHORITY TO THE ATTORNEY GENERAL AND ANY PROSECUTING ATTORNEY TO ISSUE SUBPOENAS AND COMPEL TESTIMONY FROM CUSTODIANS, TO PROVIDE SUBPOENA REQUIREMENTS, TO PROVIDE PROCEDURE AND GROUNDS FOR MODIFYING OR QUASHING A SUBPOENA AND TO PROVIDE PEACE OFFICER STATUS TO INVESTIGATORS EMPLOYED BY THE ATTORNEY GENERAL; AMENDING SECTION 56-227D, IDAHO CODE, TO PROVIDE ENFORCEMENT AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE, TO PROVIDE THAT SUCH ENFORCEMENT IS NOT THE RESPONSIBILITY OF THE MEDICAID FRAUD UNIT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 2, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-227E, IDAHO CODE, TO PROVIDE A DESCRIPTION OF OBSTRUCTION OF INVESTIGATION AND TO PROVIDE CRIMINAL PENALTIES; AND AMENDING SECTION 67-1401, IDAHO CODE, TO REVISE DUTIES OF THE ATTORNEY GENERAL AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 167
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO PERSONAL ASSISTANCE SERVICES; AMENDING THE HEADING FOR CHAPTER 56, TITLE 39, IDAHO CODE; AMENDING SECTION 39-5602, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 39-5603, IDAHO CODE, TO PROVIDE THAT PERSONAL CARE SERVICES BE INCLUDED IN MEDICAID SERVICES AS DESCRIBED IN IDAHO CODE, TO PERMIT A SINGLE PROVIDER TO OPERATE AS BOTH A PERSONAL ASSISTANCE AGENCY AND A FISCAL INTERMEDIARY AGENCY, TO PROVIDE FOR PERSONAL ASSISTANCE AGENCY RESPONSIBILITIES AND TO PROVIDE FOR FISCAL INTERMEDIARY AGENCY RESPONSIBILITIES; REPEALING SECTION 39-5607, IDAHO CODE, REGARDING THE EFFECT OF PERSONAL ASSISTANCE AGENCY RATES; AND AMENDING SECTION 39-5609, IDAHO CODE, TO DELETE LANGUAGE REGARDING A DETERMINATION TO BE MADE BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND WELFARE.

HOUSE BILL NO. 168
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO PUBLIC ASSISTANCE; AMENDING SECTION 56-251, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY; AMENDING SECTION 56-252, IDAHO CODE, TO DEFINE A TERM; AMENDING 56-253, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE A FEDERAL LAW REFERENCE; AMENDING SECTION 56-254, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-255, IDAHO

CODE, TO PROVIDE CORRECT TERMINOLOGY AND TO REVISE BENEFITS FOR ALL MEDICAID PARTICIPANTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 56-256, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REMOVE PROVISIONS ON PERSONAL HEALTH ACCOUNT FUNDING, USE AND DISPOSITION AND TO PROVIDE FOR USE OF PREVENTIVE HEALTH ASSISTANCE BENEFITS.

HOUSE BILL NO. 169
BY ENVIRONMENT, ENERGY, AND TECHNOLOGY
COMMITTEE
 AN ACT

RELATING TO HIGH-PERFORMANCE PUBLIC BUILDINGS; AMENDING TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 32, TITLE 39, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO STATE LEGISLATIVE FINDINGS AND INTENT, TO DEFINE TERMS, TO REQUIRE ALL MAJOR FACILITY PROJECTS OF PUBLIC AGENCIES RECEIVING SPECIFIED FUNDING OR FINANCING TO MEET CERTAIN STANDARDS, TO REQUIRE ALL MAJOR FACILITY PROJECTS OF ANY ENTITY OTHER THAN A PUBLIC AGENCY RECEIVING SPECIFIED FUNDING TO MEET CERTAIN STANDARDS, TO PROVIDE MINIMUM EFFICIENCY INCREASES FOR MAJOR FACILITY PROJECTS CONSTRUCTED AND CERTIFIED TO CERTAIN STANDARDS AS NEW CONSTRUCTION OR RENOVATION, TO REQUIRE ENHANCED BUILDING COMMISSIONING TO BE CONSIDERED IN ALL PROJECTS, TO PROVIDE WHEN CERTAIN STANDARDS MUST BE APPLIED, TO PROVIDE THE PERMANENT BUILDING FUND ADVISORY COUNCIL AUTHORITY REGARDING THE PRACTICALITY OF MEETING CERTAIN STANDARDS, TO REQUIRE PUBLIC AGENCIES TO MONITOR, DOCUMENT AND ANNUALLY REPORT TO THE COUNCIL, TO REQUIRE THE COUNCIL TO ANNUALLY SUBMIT A CONSOLIDATED REPORT TO THE GOVERNOR AND THE LEGISLATURE, TO PROVIDE THE CONTENTS OF THE REPORT AND TO PROVIDE FOR THE IDAHO DEPARTMENT OF WATER RESOURCES TO PROVIDE TECHNICAL ASSISTANCE TO THE COUNCIL.

H 143, H 144, H 145, H 146, H 147, H 148, H 149, H 150, H 151, H 152, H 153, H 154, H 155, H 156, H 157, H 158, H 159, H 160, H 161, H 162, H 163, H 164, H 165, H 166, H 167, H 168, and H 169 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

S 1061 and **S 1060**, by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

S 1022, by Jorgenson, was introduced, read the first time by title, and referred to the Resources and Conservation Committee.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 9, by Education Committee, was read the second time by title and filed for third reading.

HJM 2, by State Affairs Committee, was read the second time by title and filed for third reading.

H 86 and **H 87**, by Resources and Conservation Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

SCR 101 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall **SCR 101** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Marriott, Mathews, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Ruchti, Rusche, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Mr. Speaker. Total -- 50.

NAYS -- Barrett, Bayer, Bedke, Durst, Edmunson, Hagedorn, Hart, Harwood, Loertscher, Luker, McGeachin, Moyle, Patrick, Roberts, Wood(27). Total -- 15.

Absent and excused -- Lake, Mortimer, Schaefer, Smith(24), Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **SCR 101** adopted and ordered the resolution returned to the Senate.

H 76 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall **H 76** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson,

Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Lake, Mortimer, Schaefer, Smith(24), Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 76** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 51 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Kren to open debate.

The question being, "Shall **H 51** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total -- 65.

NAYS -- None.

Absent and excused -- Lake, Mortimer, Schaefer, Smith(24), Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 51** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 52 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills to open debate.

The question being, "Shall **H 52** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Edmunson, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ring, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(2), Shepherd(8), Shirley, Shively, Smith(30), Snodgrass, Stevenson, Thayn, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker.

Total -- 65.

NAYS -- None.

Absent and excused -- Lake, Mortimer, Schaefer, Smith(24),
Wood(35). Total -- 5.

Total -- 70.

Whereupon the Speaker declared **H 52** passed the House.
Title was approved and the bill was ordered transmitted to the
Senate.

There being no objection, the House advanced to the
Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:45 a.m.,
Monday, February 12, 2007. Seconded by Mr. Sayler. Motion
carried.

Whereupon the Speaker declared the House adjourned at
12:06 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

PAMM JUKER, Chief Clerk